

July 22, 2004

## Major Accomplishments of the U.S. Senate 108<sup>th</sup> Congress, Second Session, to Date

*Despite Democrat obstructionism in the 108<sup>th</sup> Congress, the Republican-led Senate has succeeded in passing significant legislation in 2004. Highlights include: the Pension Stability Act (P.L. 108-218); the Jumpstart Our Business Strength (JOBS) Act (S. 1637); the Identity Theft Penalty Enhancement Act (P.L. 108-275); the Unborn Victims of Violence Act (P.L. 108-212); the Crime Victims' Rights Act (S. 2239); the Homeland Security Technology Improvement Act (S. 1612); the Department of Defense Appropriation Bill for FY 2005 (H.R. 4613); the Project BioShield Act of 2004 (P.L. 108-276); and the Individuals with Disabilities Education Improvement Act (H.R. 1350). Here are some of the accomplishments to date from this Second Session of the 108<sup>th</sup> Congress. Those bills already signed into law are listed in numerical order within each category.*

*Attached to this paper is a list of accomplishments from the First Session.*

### CREATING JOBS AND GROWING THE ECONOMY

#### **Pension Stability Act – P.L. 108-218**

*This law provides much-needed relief to struggling industries and in the long run greatly contributes to the health of the insurance system overseen by the Pension Benefits Guaranty Corporation. This law reforms the previous pension funding formula by changing the rates used to calculate pension-plan contributions from 30-year Treasury bond rates to conservatively invested, long-term corporate-bond rates.*

#### **U.S.-Australia Free Trade Agreement (H.R. 4759) – Passed Senate and House**

*The U.S.-Australia Free Trade Agreement (USAFTA) is the first trade agreement between the United States and a developed country since the U.S.-Canada Free Trade Agreement in 1988. It is estimated that USAFTA will generate at least \$2 billion per year for both countries by 2010. By eliminating nearly all tariffs on U.S. manufacturing and agricultural exports, this bill creates a fair and open market in Australia for U.S. producers. USAFTA strengthens America's relationship with a close ally abroad while expanding opportunities for U.S. workers and businesses at home.*

**U.S.-Morocco Free Trade Agreement (S. 2677) – Passed Senate and House**

*The U.S.-Morocco Free Trade Agreement is an integral part of President Bush's strategy to create a Middle East Free Trade Area by 2013. Passage of the Agreement is a critical step forward in encouraging countries of the region to implement domestic reforms, institute the rule of law, protect private property rights, and create a foundation for openness, economic growth, and prosperity.*

**Jumpstart Our Business Strength (JOBS) Act (S. 1637) – In Conference**

*Enactment of this bill—delayed for months by Democrat obstructionism—will eliminate the tax regime for U.S. exporting companies that the World Trade Organization ruled in 2002 was inconsistent with the United States' obligations under various international trade agreements. The bill is designed to replace the non-compliant U.S. international tax rules with broad-based tax relief for American manufacturers and other U.S. exporters to ensure that they remain competitive in the international marketplace and can continue providing millions of critical jobs in the United States. The delay in passing this legislation has resulted in U.S. companies being subject to European Union sanctions, which began in March at 5 percent and increase 1 percent each month the current international tax rules remain in effect. If fully implemented, these sanctions will amount to \$4 billion in European taxes on U.S. exports.*

**Helping Hands for Homeownership Act of 2004 (H.R. 4363) – Passed Senate and House**

*This bill enhances the Self-Help Homeownership Opportunity Program (SHOP) by allowing homeowners to earn their "sweat equity"—the program's physical labor requirement for funds—by performing required construction time on other homes in the community.*

**Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004 (H.R. 3550) – In Conference**

*By renewing authorization for highway, bridge, and transportation safety projects, this bill invests in the nation's transportation infrastructure, creates jobs, and spurs economic growth.*

**Internet Tax Nondiscrimination Act (S. 150) – Passed Senate and House**

*This bill extends the moratorium on state and local taxation of Internet access, as well as on any multiple or discriminatory state and local taxes on Internet-based transactions until October 1, 2007. The bill also modifies the definition of "Internet access" by carving out voice and other services provided over the Internet, and it provides limited "grandfather" protection for state and local governments already taxing Internet access. As a result, the majority of American Internet users would continue to benefit from tax-free Internet access, and companies would not be required to withhold state sales taxes on consumer purchases over the Internet (though consumers would still be liable for any "use taxes" imposed by the state in which they reside). Unfortunately, Democrats have refused to permit the appointment of conferees, so this bill is unlikely to become law this year.*

**Nomination of Alan Greenspan to be Chairman of the Board of Governors of the Federal Reserve System – Confirmed by unanimous consent**

*During his first 17 years as chairman of the Federal Reserve, Alan Greenspan has implemented monetary policies that have helped the United States achieve unprecedented*

*levels of economic growth while avoiding high rates of inflation. He was confirmed unanimously to serve a fifth term.*

## **KEEPING AMERICANS SAFE AT HOME AND ABROAD**

### **At Home**

#### **Law Enforcement Officers Safety Act – P.L. 108-277**

*This bill enhances the ability of trained officers—including those who are retired or off-duty—to keep themselves and their communities safe by exempting qualified current and former law enforcement officers from state laws prohibiting the carrying of concealed handguns.*

#### **Identity Theft Penalty Enhancement Act – P.L. 108-275**

*By increasing penalties for those who steal identities to commit immigration violations, Medicare fraud, and other serious crimes, this new law addresses the growing identity theft problem, which victimizes 10 million Americans each year. The law imposes a higher maximum penalty for identity theft used to facilitate acts of terrorism.*

#### **Flood Insurance Reform Act – P.L. 108-264**

*Flood damage mitigation efforts are bolstered by this law, which amends the National Flood Insurance Act of 1968. Passage of this law encourages efforts to reduce future losses on properties for which repetitive flood insurance claim payments have been made.*

#### **Unborn Victims of Violence Act – P.L. 108-212**

*This law protects pregnant women and their unborn children by creating a new federal crime whenever an assailant injures or kills an unborn child during the commission of a federal crime of violence. It guarantees that the unborn child is recognized as a victim of crime distinct from the pregnant woman.*

#### **Omnibus Appropriations for Fiscal Year 2004 – P.L. 108-199**

*Despite Democrat obstructionism during the first session, Congress passed the appropriations bills for Fiscal Year 2004. These bills include funding for Agriculture, Commerce/Justice/State, District of Columbia, Foreign Operations, Labor/HHS/Education, Transportation, and VA/HUD. These bills were critical this year in providing increased funding for education, veterans' health care, and the President's Global AIDS Initiative.*

#### **Crime Victims' Rights Act (S. 2329) – Passed Senate**

*This bill establishes statutory rights for victims of federal crimes and authorizes funding through FY09 for federal and state programs to protect the rights of crime victims. Passage is a critical step forward to balancing the scales of justice. Victims of federal crimes would have the following rights: to be reasonably protected from the accused; to have reasonable, accurate, and timely notice of any public proceeding involving the crime, or of any release or escape of the accused; to be reasonably heard at any public proceeding involving release, plea, or sentencing; to have full and timely restitution as provided in law; to proceedings free from unreasonable delay; and to be treated with fairness and respect for their dignity and privacy.*

**Homeland Security Technology Improvement Act (S. 1612) – Passed Senate**

*In order to provide state and local law-enforcement agencies with the tools necessary to protect Americans, this bill establishes a technology, equipment, and information transfer program within the Department of Homeland Security. Law-enforcement agencies protecting borders, ports, and high-threat areas would be able to secure more easily cutting-edge detection and monitoring equipment.*

**Defending and Promoting Freedom**

**African Growth and Opportunity Acceleration Act of 2004 – P.L. 108-274**

*This legislation extends the benefits of the African Growth and Opportunity Act (AGOA) to 2015. By encouraging trade between the United States and countries in sub-Saharan Africa, AGOA plays an important role in creating jobs and stimulating economic growth in the world's poorest region. In addition, AGOA promotes democracy and human rights by requiring that countries enact certain reforms before they are eligible for its benefits.*

**Renewal of the Burmese Freedom and Democracy Act – P.L. 108-272**

*As a means of promoting democratic rule and freedom of expression in Burma, this law sanctions the ruling Burmese military junta and supports and recognizes the National League of Democracy as the legitimate representative of the Burmese people.*

**Department of Defense Appropriation Bill for FY 2005 (H.R. 4613) – Conference Report passed**

*This bill provides \$416.2 billion in new spending authority for the Department of Defense, including \$25 billion in an Emergency Wartime Appropriation requested by the President for costs associated with operations in Iraq and Afghanistan. Other highlights of the bill include funding for a 3.5-percent across-the-board pay raise for military personnel, and an overall Department of Defense end strength of 2,263,900.*

**Oil-for-Food Program Investigation (Amdt. No. 3440 to S. 2400) – In Conference**

*So that those who are guilty of wrongdoing are held accountable, this legislation calls on the U.N. to make its Oil-for-Food documents available to congressional investigators. This legislation allows Congress to conduct a thorough investigation of the United Nations' Oil-for-Food Program, whose real beneficiaries may have been Saddam Hussein and corrupt U.N. and foreign officials rather than the Iraqi people.*

**Nomination of John D. Negroponte to be U.S. Ambassador to Iraq – Confirmed 95-3**

*Ambassador John Negroponte is America's top diplomat to Iraq, operating out of a newly established American mission in the country. The role of the U.S. Mission in Iraq is to support the Iraqi people and government as they take control of their own affairs.*

**Nomination of John C. Danforth to be U.S. Ambassador to United Nations – Confirmed by unanimous consent**

*Ambassador John C. Danforth is America's representative to the Sessions of the General Assembly of the United Nations, and the representative of the United States in the Security Council of the United Nations.*

### **Support for Our Troops and Veterans**

#### **Campaign Medals for Operation Enduring Freedom and Operation Iraqi Freedom – P.L. 108-234**

*This law provides for the establishment of separate medals to recognize members of the military for their service in defense of the nation in Iraq and Afghanistan.*

#### **Troop Leave Domestic Transportation Reimbursement – P.L. 108-220**

*This law directs the Secretary of Defense to reimburse members of the armed forces for round-trip transportation expenses incurred within the United States in connection with the Central Command Rest and Recuperation Leave Program.*

#### **Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (H.R. 4200) – In Conference**

*This bill authorizes \$447.2 billion for FY05 for military activities of the Department of Defense and Department of Energy, including programs to combat terrorism and for the continued development of a national missile defense system to be put on alert this year. It also provides for an across-the-board pay raise of 3.5-percent for military personnel. Additionally, this bill adds \$925 million for several force protection measures and authorizes \$25 billion in a contingency reserve fund for continued operations in Iraq and Afghanistan.*

### **REDUCING RED TAPE & OTHER PRO-CONSUMER INITIATIVES**

#### **Taxpayer Protection and IRS Accountability Act (H.R. 1528) – Passed Senate and House**

*This bill strengthens taxpayer protection and accountability by the Internal Revenue Service through improvements in tax administration and taxpayer safeguards, reform of the penalty and interest provisions of the tax code, modernization of the U.S. Tax Court, and additional protection of taxpayer confidentiality and non-disclosure of taxpayer information. The bill also provides significant tax simplification measures, including the establishment of a uniform definition of “qualifying child” and elimination of more than 60 obsolete tax-code rules.*

### **STRENGTHENING AND IMPROVING HEALTH CARE**

#### **Project BioShield Act of 2004 – P.L. 108-276**

*By authorizing the Department of Health and Human Services to develop and stockpile countermeasures against biological, chemical, radiological, or nuclear agents that may be used in a terrorist attack against the United States, this law provides vital homeland security fortification. The drugs, biological products, and devices included as part of these countermeasures will significantly improve our nation’s ability to respond to a wide-scale bioterrorism attack.*

#### **Youth Suicide Prevention and Intervention Act (S. 2634) – Passed Senate**

*This bill responds to the tragic problem of youth suicide by ensuring that mental health care providers have the resources to identify and treat those who need help. It provides grants to*

*states for the planning, implementation, and evaluation of statewide youth suicide early intervention and prevention efforts.*

**Tobacco Buyout and Regulation (Amdt. No. 3563 to S. 1637/H.R. 4520) – In Conference**

*This legislation eliminates the federal quota and price support program for tobacco, and compensates tobacco farmers for its elimination through a buyout of existing quotas. It also grants the Food and Drug Administration authority to regulate tobacco products and advertising.*

## **EDUCATION INITIATIVES**

**Child Nutrition, WIC, and School Lunch Program Reform Act – P.L. 108-265**

*This bill streamlines applications for school meal program benefits, strengthens the anti-fraud and abuse provisions in the National School Lunch and Breakfast programs, and is designed to maximize the enrollment of eligible children in the underlying programs while protecting program integrity. The bill expands the Fresh Fruit and Vegetable program, expands the Summer Food Service Program, provides training and technical assistance to schools, targets benefits to low-income children, and, over the five-year reauthorization period, maintains federal spending at previous levels.*

**NASA Workforce Flexibility Act of 2003 – P.L. 108-201**

*This bill enhances NASA's ability to attract America's best and brightest to the space program by allowing NASA to offer scholarships and other incentives to highly qualified students and recruits.*

**Individuals with Disabilities Education Improvement Act (H.R. 1350) – Passed Senate and House**

*This bill provides important and long-awaited reforms to the Individuals with Disabilities Education Act (IDEA). Its key improvements to the IDEA law include reductions in the paperwork burden, reductions in inappropriate litigation, increases in parental involvement and options, and a renewed focus on student outcomes. Unfortunately, Democrats have refused to permit the appointment of conferees, so this bill is unlikely to become law this year.*

## **STRENGTHENING THE SAFETY NET**

**Service Block Grants Improvement Act (S. 1786) – Passed Senate**

*This bill would amend the Community Service Block Grant Act so that more emphasis is placed on reducing poverty and expanding opportunities for individuals and families to become economically self-sufficient.*

## **DEMOCRATS' OBSTRUCTIONISM**

*As the above sample of accomplishments shows, the Republican-led Senate has made significant progress in enhancing the welfare of all Americans. Unfortunately, obstruction by Democrats has prevented even greater achievement in the 108<sup>th</sup> Congress. The minority party has continually blocked important measures, including:*

- **The Class Action Fairness Act of 2004 (S. 2062)**, which would close a loophole in federal court jurisdiction rules and create a consumer bill of rights in order to prevent trial lawyers from abusing class action procedures at the public's expense [filibustered in the Senate];
- **The Fairness in Asbestos Injury Resolution Act of 2004 (S. 2290)**, which would reduce the prevalence of attorney-driven fraud and manipulation in asbestos-related lawsuits by establishing a privately funded trust fund to compensate asbestos victims [filibustered in the Senate];
- **The Patients First Act of 2003 (S. 11)**, which would help health care providers afford medical liability insurance coverage by setting sensible limits on compensation for non-economic damages [filibustered in the Senate];
- **The Energy Policy Act of 2003 (H.R. 6)**, which would provide a comprehensive national energy policy that balances domestic energy production with conservation and efficiency efforts to enhance America's security and decrease our dependence on foreign sources of oil [House passed Conference Report in 2003; Conference Report filibustered in the Senate];
- **The Personal Responsibility and Individual Development for Everyone (PRIDE) Act (H.R. 4)**, which would maintain the phenomenal success of the 1996 welfare reform law by continuing to give states flexibility in providing the services that low-income families need to become self-sufficient [House passed in 2003; filibustered in the Senate];
- **A Full and Open Debate on the Federal Marriage Amendment (S.J. Res. 40)**, which would prevent activist judges from subverting the democratic process to redefine the fundamental institution of marriage for the entire nation [filibustered in the Senate]; and
- **The Confirmation of Highly Qualified Federal Judges.** For the first time in U.S. history, a partisan minority of Senators has filibustered judicial nominations to the federal bench, threatening the administration of justice as the nation's federal courts continue to struggle to cope with judicial vacancies. Democrats have blocked up-or-down votes on 10 judicial nominees this Congress.

*In addition, Democrats refuse to go to conference on the following bills passed by the Senate: the Individuals with Disabilities Education Improvement Act (H.R. 1350); the Internet Tax Nondiscrimination Act (S. 150); the Charity Aid, Recovery, and Empowerment (CARE) Act of 2003 (S. 476); and the Workforce Investment Act (H.R. 1261). These bills will not become law until Democrats cease their obstructionism.*